

EXHIBIT 10

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION
Case No. 3:19-cv-00410-EMC

ASETEK DANMARK A/S,
Plaintiff and
Counter-Defendant,

v.

COOLIT SYSTEMS INC.,

Defendant and
Counter-Claimant,
COOLIT SYSTEMS USA INC.,
COOLIT SYSTEMS ASIA PACIFIC
LIMITED, COOLIT SYSTEMS
(SHENZHEN) CO., LTD.,

Defendants,

CORSAIR GAMING INC., and
CORSAIR MEMORY INC.,
Defendants.

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY
VIDEO DEPOSITION OF ANDRÉ S. ERIKSEN
PURSUANT TO FRCP 30(B)(1) AND 30(B)(6)
VOLUME I - PAGES 1-146
TUESDAY, AUGUST 24, 2021
AALBORG, DENMARK

1 BE IT REMEMBERED THAT, pursuant to the Federal
2 Rules of Civil Procedure, the Zoom video deposition
3 of ANDRÉ S. ERIKSEN was taken before Marilyn
4 Hoover, California CSR No. 8841; on Tuesday, August
5 24, 2021, at the hour of 4:05 p.m. CEST; the witness
6 testifying from Aalborg, Denmark.

7
8 FINNEGAN HENDERSON FARABOW GARRETT & DUNNER, LLP

9 BY MR. ROBERT F. McCAULEY

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14 On behalf of Plaintiff and Counter-defendant

15
16 COOLEY, LLP

17 BY MR. REUBEN H. CHEN

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19 Palo Alto, California 94304

20 Telephone: 650-843-5000

21 E-mail: RChen@cooley.com

22 On behalf of Defendants Corsair Gaming Inc.,

23 Corsair Memory Inc., and CoolIT Systems Inc.

24
25 ALSO PRESENT: David West, videographer

EXAMINATION INDEX

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Examination by Mr. Chen 6

EXHIBIT INDEX

EXHIBIT NO. DESCRIPTION PAGE

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Office Patent No. 2003-0031027 67

Exhibit 163 U.S. Patent No. 8,240,362 17

Exhibit 164 U.S. Patent No. 8,245,764 17

Exhibit 165 U.S. Patent No. 9,733,681 17

(re-marked as Exhibit 178 in
volume 2 of the deposition)

Exhibit 165 U.S. Patent No. 10,078,354 17

Exhibit 166 U.S. Patent No. 10,078,355 17

Exhibit 167 U.S. Patent No. 10,613,601 17

Exhibit 168 U.S. Patent No. 10,599,196 17

Exhibit 169 Stipulation regarding
representative products 30

Exhibit 170 USPTO judgment 45

Exhibit 171 02 March 2012 Gen 4 status 49

Exhibit 172 U.S. Patent No. 8,746,330 109

Exhibit 173 U.S. Patent No. 9,603,284 109

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2	EXHIBIT NO.	DESCRIPTION	PAGE
3	Exhibit 175	U.S. Patent No. 10,274,266	109
4	Exhibit 176	02 March 2012 Gen 4 status	131
5	Exhibit 177	Plaintiff Asetek Danmark A/S's	
6		second supplemental objections	
7		and responses to defendant	
8		CoolIT Systems Inc.'s first set	
9		of interrogatories to plaintiff	
10		Asetek Danmark A/S (Nos. 1, 5,	
11		7, 8, and 9)	131

1 TUESDAY, AUGUST 24, 2021; AALBORG, DENMARK

2 THE VIDEOGRAPHER: Okay. Good afternoon. 16:05

3 We are on the record. The time is 4:05 p.m. Danish 16:05

4 time. The date today is August 24th, 2021. 16:05

5 Please note that microphones are sensitive 16:05

6 and may pick up whispering and private 16:05

7 conversations. Audio and video recording will 16:05

8 continue to take place unless all parties agree to 16:05

9 go off the record. 16:05

10 This is media unit 1 of the video-recorded 16:05

11 deposition of André Eriksen, volume 1, taken by 16:05

12 counsel for defendant and counterclaimant in the 16:05

13 matter of Asetek Danmark A/S versus CoolIT Systems 16:05

14 Inc. et al., filed in the United States District 16:05

15 Court, Northern District of California, San 16:05

16 Francisco Division. The case number, 16:05

17 3:19cv00410-EMC. 16:05

18 The deposition is being conducted using 16:06

19 Remote Counsel technology, and all participants are 16:06

20 attending remotely. My name is David West; I'm the 16:06

21 videographer. The court reporter is Marilyn 16:06

22 Hoover. We represent Veritext Legal Solutions. I'm 16:06

23 not related to any party in this action, nor am I 16:06

24 financially interested in the outcome. 16:06

25 Counsel will now state their appearances 16:06

1 and affiliations for the record. If there are any 16:06
2 objections to proceeding, please state them at the 16:06
3 time of your appearance, beginning with the noticing 16:06
4 attorney. 16:06

5 MR. CHEN: This is Reuben Chen for 16:06
6 defendant and counterclaimant CoolIT Systems Inc. 16:06
7 and defendants Corsair Gaming Inc. and Corsair 16:06
8 Memory Inc. 16:06

9 MR. McCAULEY: Robert McCauley on behalf 16:06
10 of Asetek Danmark A/S and Mr. Eriksen. 16:06

11 THE VIDEOGRAPHER: Thank you. 16:06

12 The court reporter may now swear the 16:06
13 witness in, and we will continue. 16:06

14 ANDRÉ ERIKSEN, 16:06
15 called as a witness, being duly sworn on oath, was 16:06
16 examined and did testify as follows: 16:06

17 THE REPORTER: Thank you. You may begin, 16:07
18 counsel. 16:07

19 MR. CHEN: Thank you, Ms. Reporter. 16:07

20 EXAMINATION 16:07

21 BY MR. CHEN: 16:07

22 Q. Good afternoon, Mr. Eriksen. 16:07

23 A. Good afternoon. 16:07

24 Q. Could you please state your full name for 16:07
25 the record. 16:07

1 split-flow. Many others have done it -- Danger Den 20:22
2 has done it, I believe Koolance has done it -- and 20:23
3 split-flow has been used in many applications. 20:23
4 Q. But you haven't compared the Antarctica 20:23
5 device to the exact claims of CoolIT's four patents 20:23
6 in front of you; correct? 20:23
7 A. What I said was -- and you asked me 20:23
8 whether I had; and, as I informed you earlier, I 20:23
9 don't analyze patent claims and try to speculate on 20:23
10 the coverage. I use external help for that. 20:23
11 Q. Right. So you can't say one way or the 20:23
12 other whether Antarctica is prior art to the CoolIT 20:23
13 patents; correct? 20:23
14 MR. McCAULEY: Objection. 20:23
15 THE WITNESS: No. 20:23
16 MR. McCAULEY: Mischaracterizes prior 20:23
17 testimony. 20:23
18 THE WITNESS: That's not correct. What I 20:23
19 said was I had got external help to see what it is 20:23
20 CoolIT's claims are covering, and then I compare 20:23
21 that with the Antarctica, and then I come to my 20:23
22 opinion that you asked me about and you got it. 20:24
23 Q. BY MR. CHEN: Are there any other 20:24
24 products, besides Antarctica, that you believe are 20:24
25 prior art to CoolIT's four patents in front of you? 20:24

1 MR. McCAULEY: Objection. 20:24

2 Mischaracterizes prior testimony. 20:24

3 THE WITNESS: I would have to read the 20:24

4 patents to really give you an honest answer to that. 20:24

5 Q. BY MR. CHEN: Well, sitting here today, do 20:24

6 you recall any other prior art products or 20:24

7 references, besides Antarctica, to the CoolIT 20:24

8 patents in front of you? 20:24

9 A. Yes. The Koolance and the Danger Den. 20:24

10 Q. Any others? 20:24

11 (Reporter request.) 20:24

12 THE WITNESS: Danger Den is 20:24

13 straightforward Danger and Den, D-E-N; and the other 20:24

14 one, Koolance, is K-O-O-L-A-N-C-E. 20:24

15 THE REPORTER: Thank you. 20:25

16 THE WITNESS: You're welcome. 20:25

17 Q. BY MR. CHEN: Were there channels used in 20:25

18 the Antarctica product? 20:25

19 A. Yes. 20:25

20 Q. Do you know the widths of those channels? 20:25

21 A. It will be a best guess. 20:25

22 Q. What's your best guess? 20:25

23 A. I will say between 0.6 and 0.8 20:25

24 millimeters. I actually invented the tool to making 20:25

25 the fins; I just don't recall how wide they were. 20:26

1 Q. Do you know the widths of the Koolance 20:26
2 channels? 20:26
3 A. No, not at all. I will have to see a 20:26
4 sample or drawing or something like that. I just -- 20:26
5 I just remember back in the days that, before I 20:26
6 think CoolIT even existed, you know, these products 20:26
7 were on the market. 20:26
8 Q. Do you know the widths of the Danger Den 20:26
9 product? 20:26
10 A. No. 20:26
11 Q. Do you know the widths of the channels on 20:26
12 that product? 20:26
13 A. Yeah, I got you. No, I don't. 20:26
14 MR. CHEN: Okay. Thank you. 20:26
15 Okay. We've been going for just about an 20:27
16 hour. Why don't we take a break at this point, and 20:27
17 then we can just also discuss how long we're going 20:27
18 to go for the rest of today. 20:27
19 THE WITNESS: That's fine. How long? Ten 20:27
20 minutes? Five minutes? 20:27
21 MR. CHEN: Yeah, let's take a ten-minute 20:27
22 break. 20:27
23 THE WITNESS: Okay. 20:27
24 MR. McCAULEY: Reuben, I've been 20:27
25 informed -- 20:27

REPORTER CERTIFICATE

I, MARILYNN HOOVER, CSR No. 8841 for the State of California, do hereby certify:

That prior to being examined, the witness named in the foregoing deposition was duly sworn to testify the truth, the whole truth, and nothing but the truth;

That said deposition was taken down by me in shorthand at the time and place therein named, and thereafter reduced by me to typewritten form; and that the same is a true, correct, and complete transcript of the said proceedings.

Before completion of the deposition, review of the transcript [X] was [] was not requested. If requested, any changes made by the deponent (and provided to the reporter) during the period allowed shall be appended hereto.

I further certify that I am not interested in the outcome of the action.

Witness my hand this 26th day of August 2021.



Marilynn Hoover, RPR

California CSR No. 8841

CERTIFICATE OF WITNESS

I, ANDRÉ S. ERIKSEN, do hereby certify that I
have read the foregoing portion of the transcript of
my deposition taken on Wednesday, the 24th day of
August 2021, and that the said transcript is true
and correct except for such corrections as I may
have noted on the previous page.

ANDRÉ S. ERIKSEN

Subscribed and sworn to before me
this ____ day of _____ 2021.

Notary Public, State of _____

My Commission Expires: _____